

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ELLIOTT GUNTARP, BY AND THROUGH HIS
BROTHER, KENT GUNTARP
VS.

PLAINTIFF

NO. 1:05CV177-D-A

ITAWAMBA COUNTY SHERIFF'S DEPARTMENT
AND ITAWAMBA COUNTY, MISSISSIPPI

DEFENDANTS

DEPOSITION OF TABATHA HALLMARK

TAKEN AT THE INSTANCE OF THE PLAINTIFF
IN THE LAW OFFICES OF BO RUSSELL
212 WEST MAIN STREET, FULTON, MISSISSIPPI
ON FEBRUARY 16, 2006, BEGINNING AT 9:10 A.M.

APPEARANCES NOTED HEREIN

Reported by: KATHRYN H. BOYER, CSR #1349

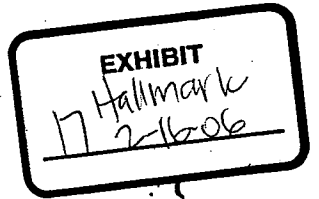
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EXHIBIT

"D"



DAILY ACTIVITY LOG

DATE	TIME:	TO:	FROM:	OFFICER:
4-1-04	0430			OK
4-1-04	0530			McGROVE Gave
4-1-04	0600			been meds taken 103 on
4-1-04	0700			hours out to work - P.A.
4-1-04	0800			OK
4-1-04	1110			Kenneth Scottins 1 female to Doctor
4-1-04	1110			Myra Tucker to Doctor
4-1-04	1215			OK Coke call
4-1-04	1345			Meds
4-1-04	1417			OK
4-1-04	1530			OK
4-1-04	1622			OK
4-1-04	1708			OK 11720 running in escorted by Ita-8
4-1-04	1800			End of Shift for JS

DAILY ACTIVITY LOG

DATE	TIME: TO: FROM:	OFFICER:
4-1-04	1800	Anders Williams
	1830	Used T.V. B. call to holding
	1900	Went in prison. No one of 200. Kids in 4th floor. Night and Street Patrol.
		Philosophy came 13 of them. Kenneth.
		Some who asked me to leave.
4-1-04	2000	Coke call holding
	2030	Coke call payphone
	2100	Coke female.
4-2-04	2200	Mod Green
4-2-04	2245	Andy Sullivan Smoking Pepper
4-2-04	2315	Tom Turner Jack Brown
4-2-04	0000	OK
4-2-04	0120	OK
4-2-04	0800	Female found asked them to provide chair
4-2-04	0930	OK
4-2-04	0915	OK

DAIRY ACTIVITY LOG

TIME:		DATE	TO:	FROM:	OFFICER:
4-3041	1	06:00	10-8 in Jail		
11		06:15	Begin blood count series in for waste-gang cart with		
11		11	Donny Muehlwerd		
11		06:34	Breast test removed		
11		07:01	ok - breast test removed		
11		07:34	ok - Meds given		
11		08:01	ok		
11		08:34	ok		
11		09:01	ok		
11		09:33	ok - Chad Wickett Michael George out to Court w/ J. Z. W. 12		
11		10:01	ok		
11		10:32	ok		
11		11:00	Chad Wickett Michael George back from Court		
11		11:32	ok		
11		12:02	ok		
		12:15	Robert Irvine tried to hang himself in cell 1046 - stopped before		
		11	any damage was done		
		10:31	ok		
		13:01	ok		

Water
Sentenced
1850, 1000
to

The
mango?

Big
mango

DAILY ACTIVITY LOG

General 10-11
Needs
Another kind of insulin

TIME:
TO: FROM:

OFFICER: T-1 Hh

DATE	TO:	FROM:	OFFICER:
4-2-04	1	13:33	u6
11		14:00	u6
6/04		1530	Supper Served
4/02/04		1544	Harris in from work.
4/02/04	6100	1800	K. Gilmore in (STD-So) Holding
4/02/04		1920	B. BACIC BACK to D/R.
4/02/04		2410	Insulin to Kolt (Holding)
4/02/04		2200	finished Med + take Yall
4/02/04		2215	All Locked Down
4/02/04		2330	10-45 Females got to loud
4/03/04		0000	10-45
4/03/04		0045	10-45
4/03/04		0120	10-45
4/03/04		0201	10-45
4/03/04		0231	10-45
		0320	10-45
		0409	10-45 X1 Female (Aulka PD)
		0453	10-45

SENTINEL
1250
Change to MDOC

Black third
some rest
Bryan
Hoping
12/27

DAILY ACTIVITY LOG

Needs
Another kind of insulin
To go with what we has.

TIME:

TO: FROM:

OFFICER: J2 Gonsalves

(Continued)

THOMAS W. GONSALVES

DATE	TIME	OFFICER	ACTIVITY
04/03/04	0524	J2 Gonsalves	Stable gal 2 SBO paper
	0540	10:45	
4/3/04	0600	OK	930M
4/3/04	0700	Meds	Breakfast
4/3/04	0830	OK	Stanger in
4/3/04	0910	OK	
4/3/04	1030	Donuts	
4/3/04	1045	Checked Sugar on Kala (3rd)	City called counts taken
4/3/04	1050	Steve Wilburn	Transporting Kala home for meds
4/3/04	1315	Kenneth Gilmore	Check organ (91) OK
4/3/04	1400	Stanger out of jail sent home	
	1740	Kenneth Gilmore	1010 Sugar checked
	1800	fed Sugar	
4/3/04	1800	J2 Gonsalves	10:8 Re Johnson 10:8
	1930	Gone Candy to Gilmore	He's being a pain
	1945	10:45	
	2000	10:45	
	2008	Anstoney	He's called

[illegible]

DAILY ACTIVITY LOG

TIME: _____
 DATE: _____ TO: _____ FROM: _____ OFFICER: J. J. Jule

4-4-04	06:00	10.8 in Soil
11	06:32	ok
11	07:07	ok
11	07:38	Breakfast arrived
11	08:02	ok
11	08:33	ok
11	09:01	ok
11	09:29	ok
11	09:59	Bro. Amos - Minister into dayroom
11	10:23	ok
11	10:44	Bro. Amos - Minister out of dayroom
11	11:02	ok
11	11:31	ok
11	12:01	ok
11	12:33	ok
11	13:01	ok
11	13:31	ok
11	14:00	Dayroom out of court
11	14:15	Dayroom back in

DAILY ACTIVITY LOG

TIME: OFFICER: 5.1 Bul

DATE	TO:	FROM:	OFFICER:
4-4-06		14:30	Nelela Out to visit
11		14:45	Nelela Back in
11		15:00	Nelela out to visit
11		15:15	Nelela back in
11		15:30	Jul. out to visit
11		15:45	Jul. back in
11		16:00	ak
11		16:32	ak
11		17:00	ak
11		17:31	ak
11		18:00	- Supper served
1900		18:00	Meds prepared for 10 pm
2000		20:00	Nelela Out to visit
4/4/06		21:45	Meds given
		22:00	VP
		22:30	going thru property
		23:00	10-45
		23:36	10-45
		00:06	10-45

~~Proprietary~~

Female

~~1300~~
\$30.00
in property
3000 Share full
2 quarters in property.

TIME: _____
FROM: _____
OFFICER: J2 Garrett

04/05/04	0037	10-45	(Holding still Talking)
	0100	10-45	
	0134	10-45	(Finished going thru property, found bug in S
	0213	10-45	(found bug in Helms Garage)
	0300	10-45	
	0340	10-45	
	0418	10-45	
	0500	10-45	
	0530	10-45	
4/5/04	0600	8.30 on Shift	
4/5/04	0630	OK	
4/5/04	0700	Breakfast	
4/5/04	0730	meds / 40lbs sugar served in 103 took 15 min	
4/5/04	0730	Arriving 2nd to work P.A.	
4/5/04	0800	OK	
	0900	Wook Garbage out every 4 hrs 10-45	
	1030	OK 1045	
	1138	OK	
	1228	OK	

DAILY ACTIVITY LOG

THW

DATE TO: TIME: FROM: OFFICER:

83

4/5/04		1350	Kenneth Gilman Duesen check 71
			Gerard Kolb Duesen 166
4/5/04		1400	OK
4/5/04		1535	OK
4/5/04		1637	OK
4/5/04		1705	Robert Horine got shower
4/5/04		1800	supper feed
4/5/04		1825	end of 3rd shift
4/5/04		1835	Holding toilet paper
4/5/04		1900	Kelly B/S 345 Gilman took his 84
4/5/04		1930	Coke call holding
4/5/04		1945	OK coke call
4/5/04		1955	Female coke call
4/5/04		2015	Female say Bulman still has dead fire station
4/5/04		2100	Shouman Gilman, Graham, well
			Miller William & Simpson, Gilman
			Wells given, still started on his meal doesn't
			Female got clothes out of dryer
			Shower over

DAILY ACTIVITY LOG

DATE		TIME		OFFICER:
DATE	TO:	FROM:		
4/6/04		0010	Female	J4
		0000	Brought Sandie's image back	
4/6/04		0030	Female's still awake	
4/6/04		0315	Relaxed Sandie and another female	
4/6/04		035	Call Kenneth at home to take her to hospital he advised call public then call him back	
4/6/04		0430	Kenneth not back	
4/6/04		0530	OK	
4/6/04		0600	G3 on duty	
4/6/04		0630	OK	
4/6/04		0700	Breakfast / meals	
4/6/04		0730	Trans out to work P.A.	
4/6/04		0800	OK	
4/6/04		0845	OK	
4/6/04		0900	OK	
4/6/04		1035	OK	
4/6/04		1145	OK	
4/6/04		1300	OK / 1337	
4/6/04		1345	OK	
4/6/04		1345	OK	
4/6/04		1345	OK	

DAILY ACTIVITY LOG

TIME:		OFFICER:
DATE	TO: FROM:	
4/6/04	1520 1345	MEM. J. King to desk annotated by
	1525	Margot King to Anita's appearance
4-6-04	1800	Supper J. King
	1830	Supper Doug
	1900	Tim Pennington cut cord
	19:00	R-4 10-8 in jail
	19:30	OK
	19:45	Call Call Day Room
	20:14	Call Call Tur.
	20:29	Call Call Holding
	20:30	Booked in Crystal Presley
	21:05	Call Call roomer
	21:46	Med's given
	22:20	Booked in James Johnson & Angel Whitten
	23:00	locked Bar
	23:20	OK Called Mr. J. King unit for Crystal Presley Negatives.
	23:50	Elliot Grantburg Bath
	23:50	Robert Holme telephone call
	00:00	OK

OFFICER:

Full Night

4/30/04	06:50	OK	
	01:15	OK	Tim Tunnel & Anthony Cates Texu
	01:45	OK	Water Dog Texu Tim Replace Not to Return Admitted to H
	02:20	OK	Water Dog up
	02:59	OK	Water Dog up
	03:27	OK	" " " " "
	03:50	OK	" " " " "
	04:15	OK	" " " " "
	04:49	OK	" " " " Give Water Dog Morning meds
	05:20	OK	Water Dog in bed
	05:50	OK	

DAILY ACTIVITY LOG

DATE		TIME		OFFICER: <u>T-1</u>
		TO:	FROM:	
4-7-04		06:00	10:30	<u>DeLo</u>
11		06:31	06	
11		6:55	Breakfast served	
11		07:05	Meals time	
11		07:52	06	
11		08:01	06	
11		08:32	06	
11		09:01	06	
11		09:15	Polyst Hous (Ellen) Smith & Barbara Stock out to Cherry Court	
11		09:30	06	
11		10:01	06	
11		10:32	06	
11		11:03	06	
11		11:37	Ellen, Smith & Stock Back from Court	
11		12:02	06	
11		12:36	06	
11		13:04	06	
11		13:32	06	
11		14:02	06	

DAILY ACTIVITY LOG

28-1 24

TIME: OFFICER: T. J. Shale

DATE	TO:	FROM:	OFFICER:
4-7-04		14:30	all
11		15:02	all
11		15:33	all
11		16:02	all
11		16:32	all
11		17:00	all
11		17:29	all
11		18:00	all
4/7/04	noon	18:00	all
04/07/04		2100	Core Call
		2200	Meds / LIP
		2210	Horine got Shower
		2300	10:45
		2340	10:45
4/08/04		2000	10:45
		0040	10:45
		0114	10:45
		0156	10:45
		0230	10:45

m-18

7

DATE _____

TO: FROM:

OFFICER:

12. Earnest

continued

04/08/04	1	6.255	10.45
		0340	10.45
		0418	10.45
		0456	10.45
		0530	10.45
		0600	10.45
04/08/04		0600	

DAILY ACTIVITY LOG

DATE		TIME		OFFICER:
		TO:	FROM:	
4-8-04		06:00	10:08	J-1 <i>Hubbs</i>
11		06:33	06	
11		06:53	Breakfast Service	
11		07:24	Medic Service	
11		08:00	06	
11		08:32	06	
11		09:02	06	
11		09:32	06	
11		10:01	06	
11		10:32	06	
11		11:02	06	
11		11:34	06	
11		11:59	06	
11		12:27	06	
11		13:01	06	
		13:33	06	
		14:02	06	
		14:30	06	
		15:02	06	

☐ JUVENILE

CUSTODY FORM

Case Number

Suffix

1 Name of Person Arrested (Last, First, Middle)

GUNTHER LEE ELLIOTT

2. Alias or Nickname

3. Address of Defendant

Number and Street

City and State

102 BUNA VISTA

FULTON

4. Home Phone No.

862 9370

5. Occupation and Employer

(MENTAL !)

6. Social Security Number

361 58 4531

Right Thumb Print

EXHIBIT

18 Hallmark
2-16-06

7. Driver's License State?

MS

8. Driver's License Number?

361 58 4531

9. Driver's License Type?

R

10. Driver's License Expiration Date?

Mo. Day Yr.

11. Age

44

12. Sex

M

13. Race

W

14. ☐ Hispanic☒ Non Hispanic

15. Height

6

16. Weight

225

17. Hair

BRN

18. Eyes

BLUE

19. Scars, Marks, Tattoos and Amputations

20. Date of Birth

3-22-60

21. Place of Birth (City & State)

Phillie Guntner

23. Relationship

Mother

24. Contact's Address

BUNA VISTA

Number and Street

City and State

FULTON, MS.

25. Home Phone

862 9370

26. Business Phone

UCR

27. Date of Arrest

4-1-04 10:30

28. Time of Arrest

29. Location of Arrest

102 BUNA VISTA

30. Arrest Numbers

P
L
E
ACOURT CLERK USE ONLY
Ledger/Minutes

31. Charge/Offense

DOMESTIC VIOLENCE
Simple Assault☐ Fel.☐ Misd.

32. Date of Offense

4-1-04

33. Court Date/Time

34. Bond Amount

35. Charge/Offense

☐ Fel.☐ Misd.

36. Date of Offense

37. Court Date/Time

38. Bond Amount

88. Disp.

39. Charge/Offense

☐ Fel.☐ Misd.

40. Date of Offense

41. Court Date/Time

42. Bond Amount

89. Disp:

43. Charge/Offense

☐ Fel.☐ Misd.

44. Date of Offense

45. Court Date/Time

46. Bond Amount:

91. Disp:

CUSTODY STATUS

49. ☐ Released, No Charge☐ Released, Summons☐ Pre-Trial Release☐ Cash Bail Receipt☐ Bond Co.☐ Released, Time Served☐ Juvenile Shelter☐ Juvenile Detention☒ Municipal Jail☒ County Jail

50. Detention: Date/Time

51. Released: Date/Time

47. Total Bond

48. Court/District

City

52. Check Item(s) That Apply To Defendant

☐ Drinking☐ Drugs☒ Cooperative☐ Drunk☐ Resistive☐ Belligerent

53. Individual Armed?

☐ Yes ☒ No

Weapon:

54. Other Person(s) Arrested For Same Offense

55. Vehicle

☐ Yes See Property Stamp☒ No

56. Arresting Officer

No. F-2

Name: Holder

57. How Arrest Was Made

☒ On View☒ On Call☐ Warrant

Warrant By:

Warrant Number

Warrant Date

59. Officer Fingerprinting and Photographing

60. Jailer/Booking Officer

61. Cell No.

Held

62. Property

☒ Yes☐ No

63. Phone Call:

☐ Yes☒ No☒ Refused

64. Defendants Rights Given By

Date

Time

Place

Witness

65. Admissions, Confessions or Comments by Defendants

☐ Spontaneous☐ Prompted

Subject arrested for Domestic Violence/Simple Assault for pushing his mother out of the house.

66. Give Details of What Prompted This Arrest:

family trying to have subject see to mental facility.

67. Name of Witness to Arrest (If Affiant)

68. Address

Number and Street

City and State

69. Phone No.

70. Age

If Juvenile, Parent or Guardian Name

72. Address

Number and Street

City and State

73. Phone No.

74. Contacted By

75. Other Parent or Guardian Name

76. Address

Number and Street

City and State

77. Phone No.

78. Contacted By

White = Records

Canary = UCR

Pink = Court/Detectives

Gold = Shift Capt/Jail Page 01